

FOR MYSORE STATE

94,006-4-11-42.

Rural Welfare (1951) Department. V

Ms SERIES.

M

G.O. NO. 122.

Chief
R
Superintendent

Dated

8. 2. 57

[Despatch Abstract.]

M. L. A. Question (No 978) - Starred - H. R. E. Act
Act, 1926 - Extension to the Sandur State - Particulars -
2, Sri. P. Venkatasubbiah, M. L. A - Papers - records

LEGISLATURE (ASSEMBLY) SECRETARIAT.

17-10-1950.

STARRED.

SRI P. MENKATA SUBBAIAH, M.L.A.

RURAL WELFARE DEPARTMENT.

*Q.No. 978.

Will the Hon. the Minister for Health be pleased to state whether the ^{Hindu} Religious Endowment Board Act has been extended to the ex-State of Sandur and if not, why not?

TRM/17-10.

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Rural Affairs Deptt. (V)

Advance copy.

May be circulated to H.M. (Health).

17-10-1950.

STANRED.

SRI P. SANKATA SUBRAIAN, M.L.A.

RURAL WELFARE DEPARTMENT.

*Q.No. 970.

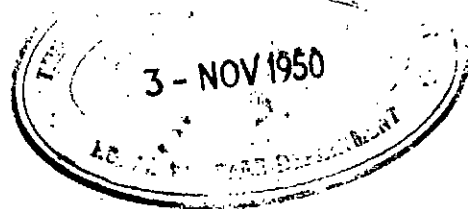
Will the Hon. the Minister for Health be pleased to state whether the Religious Endowment Board Act has been extended to the ex-State of Sander and if not, why not?

TRM/17-10.

Rural Welfare Deptt.(V)

Advance copy.

May be circulated to H.M.(Health).



REV
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JG
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Lb
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Secy

H.M.(H)
2/11/50
H.M.(Health)

3.11.50

SECRETARIAT OF THE MADRAS LEGISLATIVE ASSEMBLY SECTION

(STARRED)

Sri P. Venkata Subbaiah M.L.A.,
Rural Welfare Department.

*Q.No.978. Will the Hon. the Minister for Health be pleased to state whether the Hindu Religious Endowments Board Act has been extended to the ex-State of Sandur and if not, why not?

ANSWER

No. The Madras Hindu Religious & Charitable Endowments Bill, 1949 is likely to be passed into law very soon and as that ~~legislation will apply to the merged State of Sandur also, Govt. did not consider it necessary to have a separate Amending Bill for extending to the State the existing H&R.E. Act, 1926, to that area.~~ *(bill applies) (area covered by the)*

To
The Sectt. of the Madras
Legislature (Assembly Sec.)
(5 copies)
The Public (Election) Deptt.
(2 copies)
The P.A. to H.M. (H).

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21/11/50

R. W. U. O. 50349V-2/50
21-11-50

(12 H. (H) has approved the draft answer)

(Clean copy)

SECRETARIAT OF THE HINDU LEGISLATIVE ASSEMBLY SECTION - (SECRETED)

Sri P. Venkatesa Subrahmanya Sastry,
Social Welfare Department.

2.13.53

Will the Hon'ble the Minister for Health be pleased to state whether the Hindu Religious Endowments Board Act has been extended to the districts of Madras and if not, why not?

Social Welfare Department (V)

ANSWER

1. The Hindu Religious & Charitable Endowments Bill, 1950, is likely to be passed into law very soon and as this Bill applies to the area covered by the merged State of Madras also, Government did not consider it necessary to have a separate amending Bill for extending the existing Hindu Religious Endowments Act, 1947, to that area.

H. J. Srinivasulu
Secretary to Government.

2. The above answer has been approved by the Hon'ble Minister Mr. T. T. Krishnamachari, Minister of Health and Religious Endowments.

3. For circulation of the Bill
Legislature (Assembly Section) (5 copies)
to Public (Information) Department. (5 copies.)
The Personal Assistant to Hon'ble Minister for Health.

S. S. Srinivasulu
11-11-53

532

7a
LEGISLATIVE ASSEMBLY QUESTION NO. 278: 532
SRI P. VENKATASUBBAIAH, M.L.A.

Answer:--

No. The Madras Hindu Religious & Charitable Endowments Bill, 1949, is likely to be passed into law very soon and as that Bill applies to the area covered by the merged State of Sandur also, Government did not consider it necessary to have a separate amending Bill for extending the existing H.R.E. Act, 1926 to that area.

50349/50

88

Extension of Hindu Religious Endowments Board Act to Sandur.

* 532 Q.—SRI P. VENKATASUBBIAH: Will the Hon. the Minister for Health be pleased to state whether the Hindu Religious Endowments Board Act has been extended to the ex-State of Sandur and, if not, why not?

THE HON. DR. T. S. S. RAJAN:—"No. The Madras Hindu Religious and Charitable Endowments Bill, 1949, is likely to be passed into law very soon and as that Bill applies to the area covered by the merged State of Sandur also, Government did not consider it necessary to have a separate Amending Bill for extending the existing Hindu Religious Endowments Act, 1926, to that area."

SRI P. VENKATASUBBIAH:—"While the Hindu Religious Endowments Board Act has been extended to the other merged areas, may I know Sir, what prevented the Government from extending that Act to Sandur?" 11-15 a.m.

THE HON. DR. T. S. S. RAJAN:—"The Bill has been recently taken up. There is another Act in existence in that State. This Government have to take it and effect necessary changes. In the meanwhile, this Bill is still pending before both Houses. When it is completed, it will be time enough to apply the new Bill to the merged area and it may not be necessary to change the present legislation."

JANAB MOHAMED ABDUL SALAM:—"May I know, Sir, whether the Central Government have sent definite instructions to the State Government not to proceed with this Bill and whether it applies to Sandur or to this State as a whole?"

THE HON. DR. T. S. S. RAJAN:—"No such instructions have been received."

SRI K. BRAHAMANANDAM REDDI:—"I want to know the legal position, Sir: When once a State gets merged into the State of Madras, does it not follow that all the laws that are applicable to the Madras State apply also to the merged State?"

MR. SPEAKER:—"This question should be addressed to a different quarter altogether."

SRI N. VENKATASUBBAYYA:—"Pending the extension of the Hindu Religious Endowment Act and other laws pertaining to the administration of temples, may I know, Sir, what arrangements have been made for the administration of the properties, etc., of the famous Kumaraswami temple?"

S THE HON. DR. T. S. S. RAJAN:—"The Hindu Religious Endowments Board shall take necessary action with regard to this matter."

A THE HON. DR. T. S. S. RAJAN:—"Sir, may I know what the Government propose to do to allay the apprehensions generally existing in that State that the most valuable articles, namely, jewels and gold belongings to that temple are claimed to be the property of the trustee who was the ruler and what action the Government propose to take to prevent this?"

THE HON. DR. T. S. S. RAJAN:—"The Government, as successors to that State will take all necessary precautions to guarantee the safety of the properties mentioned."

SRI A. KALESWARA RAO:—"May I know, Sir, whether the Government have examined which are the properties of the temple itself and which are really lent to the temple by the ruler now and then?"

THE HON. DR. T. S. S. RAJAN:—"The matter will have to be gone into as soon as the temple is taken over by our State."

SECRETARIAT OF THE MADRAS LEGISLATURE,

Fort St. George, dated the 28.10 1950.

QUESTION NO. 978 for the meeting of the Legislative Assembly to
be held on the Commencing from 13.11-1950.

Two copies of this question are forwarded to the

Rural Welfare

Department.

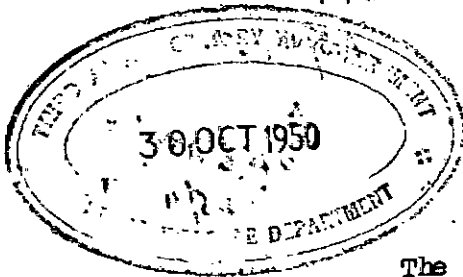
The question has been admitted.

To

The Rural Welfare Department,

NO. 7247/50-2170
28-10-50

50349

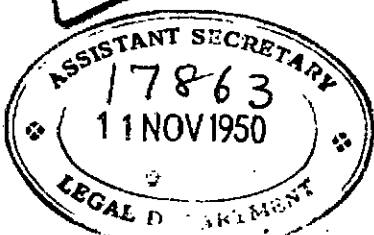


Rural Welfare Deptt.(V)

Please see the Legislative Assembly question in the c.f.

The question of extension of the H.R.E. Act 1926 to the Sandur State was considered by Government and it was decided that it was not necessary to have a separate Amending Bill extending the Act to Sandur in view of the possibility of the Madras H.R.&.C.E. Bill becoming law very soon. When the Bill becomes an Act, it will apply to Sandur also. The draft Memorandum at p.25 of G.O.361, F.D., dated 26-4-50 clearly explains the position. Attention is also invited to the notes at pp.19-23 of the G.O.

A draft answer is submitted for approval. Legal Deptt may see before circulation.



R.W.U.O. 50349V-1/50

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Leg. / Legal

P.No. 978
5/20/50
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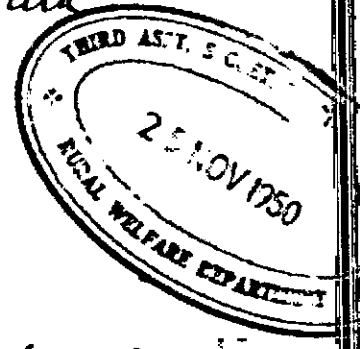
50/49/50

Legal Dept

Seen in Legal slight changes
have been indicated in the draft in red ink

Kb

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Rural Welfare Deptt. (V)

Rural Welfare Deptt.

The alterations indicated by Legal in red ink
on the draft may be accepted. May be circulated to H.M. (H)
for approval.

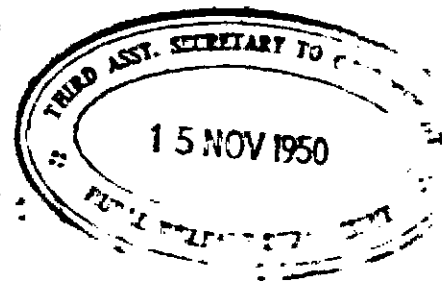
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18/11/50

H.M. (H)

The question was answered in the
Legislative Assembly on 25-11-50. vide
printed copy of the answer at p. 4 of.

An. answer -
25/11/50.

PA. 87/11/50
25/11/50.

No further action seems called for.

The p.p. may be recorded for future
reference as G.O. At. (P.O.) before the paper
is entered, Pub (P.O.) may also be

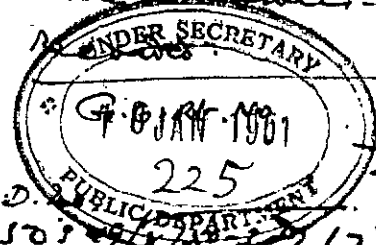
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(P.O.)
Pub (P.O.)

A. Abstract.

M.L.A. - G. No. 978 - Hon.
extension of H.R.E. Act
1926 to merged States
State - answer - paper



225
50/49/50 17/11/50

Please see the printed copy of the answer at p.8 c.f.
The following remarks seem called for:-

With reference to the portion marked A, the position is as follows:-

The Government of India have recognised the Sandur State Temples Proclamation, 1948. The Proclamation provides that the Ruler of Sandur should be the sole trustee of Shri Kumaraswami and other temples and institutions mentioned in Schedule B appended to it. As the Ruler is the sole trustee of the above temples, those temples will not be brought under the supervision of the H.R.E. Board. Government have already issued orders to that effect ^{and} have also ordered ^{that} the properties ^{specified in G.O. No. 147, Sub. A 18/1/51} such as jewels etc., for use in the temples be handed over to the Ruler who is the sole trustee ^{Orders} will issue shortly regarding the handing over of the other properties ^{including jewels}. It may also be stated that the Government of India have ^{agreed to the} themselves specified ^{as specified by the Ruler and have} the temple properties ^{of such properties} and appended it as a Schedule to the State Temples Proclamation. The Ruler will be given annually Rs.36,000/- for the proper maintenance of the temples in question and the accounts maintained for the purpose are subject to audit by the A.G., Madras. The temple lands other than those reserved for specific purposes will be managed by the Government.

With the above remarks, the file may be returned to R.W.D. who may be requested to circulate the case to H.M.(H) if necessary.

27/1/51
25-1-51

27/1/51

R.W.

00 225/51-1

Rural Welfare Deptt. (V)

Please see the notes of Public (Political-A) above. The replies to the supplementaries given by the H.M.(H) appear to be at variance with the actual position now set out by Public. It does not, however, seem necessary to take any further action in the matter as the proceedings have already ~~been~~ been published.

p.t.o

50249/50

p. 8 of

copy at p. 3-5 of

(5)

para 1 of G.O. No.

147, Sub (P.C.)

d 18/1/51 - (5)

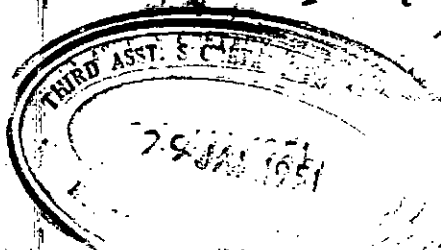
p. 5-8 of (5)

29-1-51

(C.A.)

M.S.

4659



(4)

50:47/50

Since H.M.(H) is now away and is not in charge of the subject
it is for consideration whether any useful purpose will be
served by circulating the case to H.C.M. ~~now~~.

No need to trouble H.C. on this

M.H.
6/2/51
OR
6/2/51

L.M.
6/2/51

is
6/2/51
Levy

The papers may now be recorded with
reference to A on p. 2 ante.

M.H.
6/2/51
OR
6/2/51

L.M.
9/2/51

Order 122 R.W. & 8-2-51
M.S.

Recorded

Rev
9/2/51
OR
6/2/51

M.L.A. question (No. 979)
stated - H.P.C. Act, 1926 -
Exclusion of to the Santhar
State - Particulars - by
Sri P. Venkata Subrahmanya
M.L.A. - Papers - Recorded.

Ranthum note

Rural Welfare Department (V)

Originally the Acts and Regulations mentioned in the schedules to the Notifications I and II at pp.12-13 c.f. of G.O. at (R) were extended to the States of Banganapalle and Pudukkottai by notification issued in June 1949 in exercise of the powers conferred by the Extra-Provincial Jurisdiction Act 1947. Subsequently, Legal department have held that no orders could issue after 1-8-1949 under the Extra-Provincial Jurisdiction Act ^{and} that an Ordinance or Act would, therefore, be required. At the instance of the Central Government, a consolidated Act was issued in December 1949 extending all the Acts to the States of Banganapalle and Pudukkottai.

So far as Sandur is concerned all the Madras Acts, except [H.R.E. Act, 1926] were extended. The main reason for not extending of the H.R.E. Act at that time was that there were certain local Acts in the State of Sandur which had to be repealed before making the provisions of the H.R.E. Act, 1926 applicable in that state. Later it was decided that it was no necessary to extend the Act in view of the H.R.E. Act, being being passed into law very soon.

DP
17.11.50

Lm
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Lm

G.O. 555 F.O.
20-6-49

G.O. 591 F.O.
30-6-50

1/16/51

Madras Act (B)
XXXV of 1949.

(B)/10

Abdullah Khan
Secretary